

Cultural & Linguistic Competency Conference

sponsored by

The Commonwealth of Virginia

Department of Mental Health, Mental Retardation and
Substance Abuse Services

The Journey Continues ... Promoting and Achieving Cultural and Linguistic Competence

**September 10-12, 2008
Portsmouth, VA**

ENSURING LINGUISTIC COMPETENCE ... ENSURING EQUITY

Tawara D. Goode

National Center for Cultural Competence

Georgetown University Center for Child and Human Development

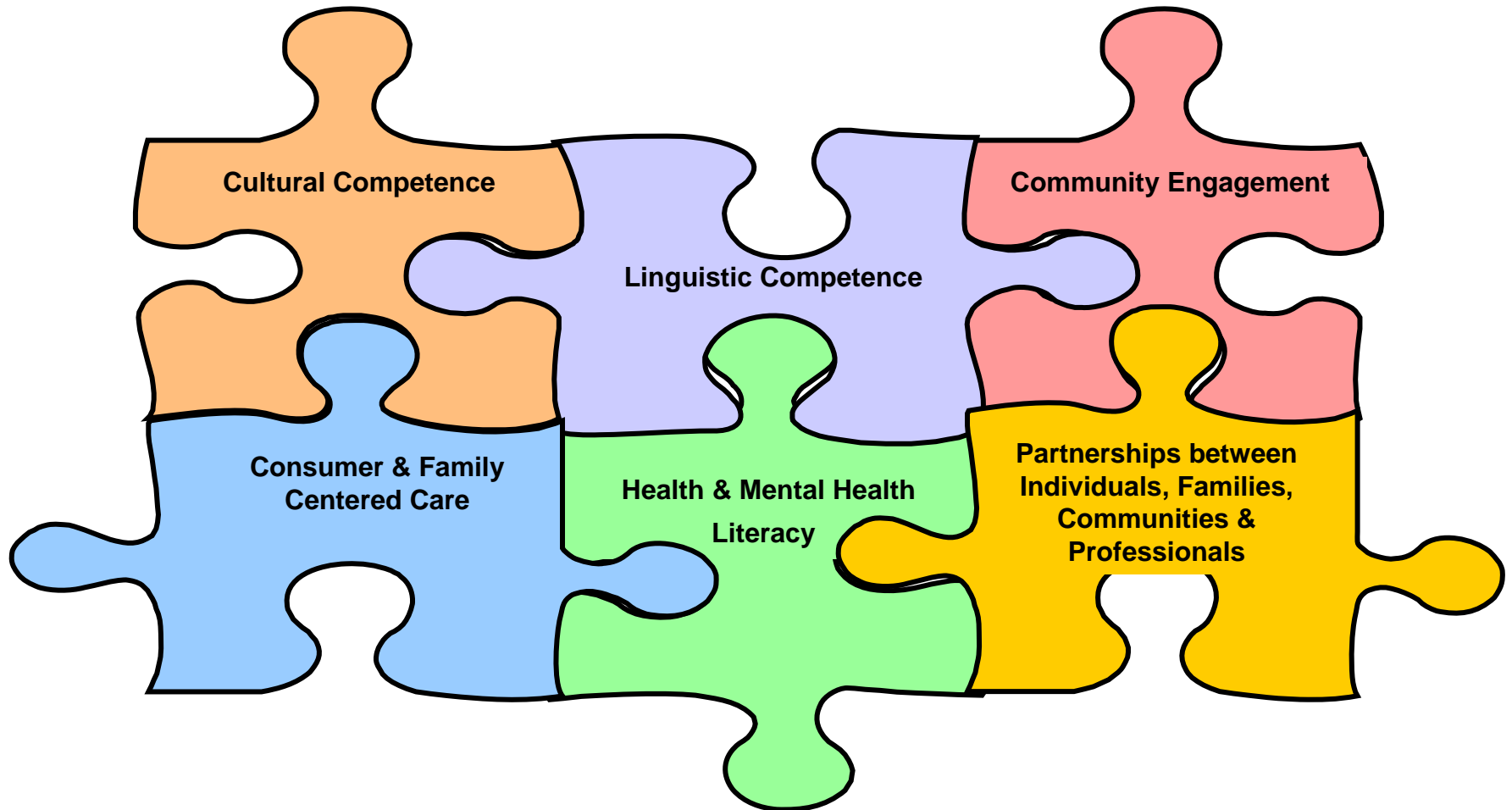
University Center of Excellence in Developmental Disabilities

September 11, 2008



INTEGRALLY LINKED

Pieces of the Same Puzzle



T.D. Goode

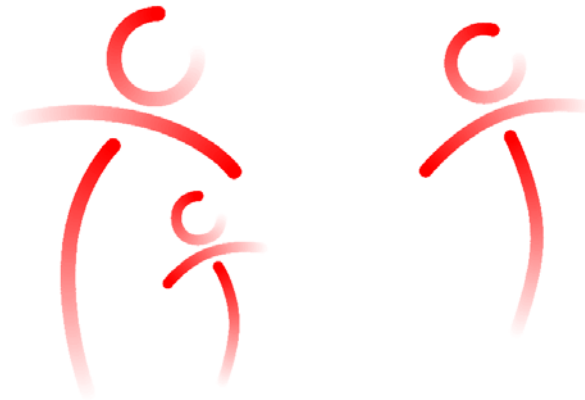
Slide Source: National Center for Cultural Competence, 2008

Rationale for Linguistic Competence in Human Service Systems

- Changing demographics
- Legal mandates
- Accreditation requirements & standards
- Increased access
- Improved quality & satisfaction with care/services
- Decrease likelihood of liability & malpractice claims

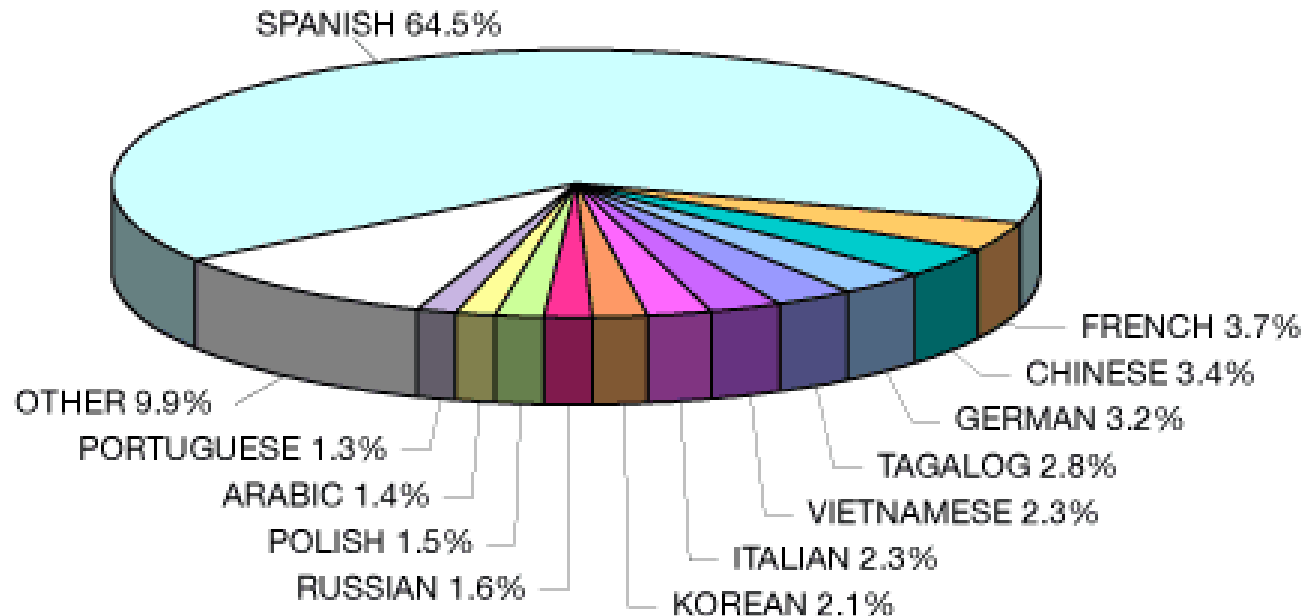


A Look at Current & Emergent Demographics



Languages other than English Spoken in the US

N = 17.89%



Data Source: Modern Language Association

<http://www.mla.org>- retrieved 6/23/06

Slide Source: National Center for Cultural Competence, 2008

Languages Spoken at Home in the United States

Total Population 5 years and over

268,110,961

English only

216,176,111

Total other languages

51,934,850

Speak Spanish or Spanish Creole

32,184,293

Speak Indo European languages

9,929,004

(French [Patois, Cajun], French Creole, Italian, Portuguese, Portuguese Creole, German, Yiddish, Other West Germanic languages, Scandinavian languages, Greek, Russian, Polish, Serbo-Croatian, Other Slavic languages, Armenian, Persian, Gujarati, Hindi, Urdu, Other Indic languages)

Speak Asian and Pacific Island languages

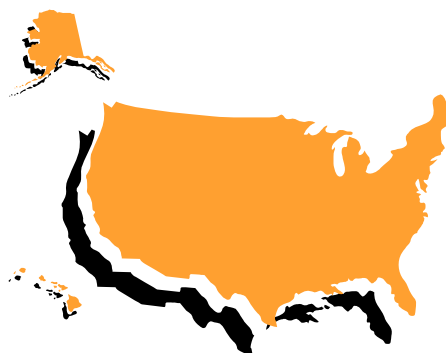
7,768,500

(Chinese, Japanese, Korean, Mon-Khmer, Cambodian, Miao, Hmong, Thai, Laotian, Vietnamese, Tagalog, other Pacific Island language)

Other Languages

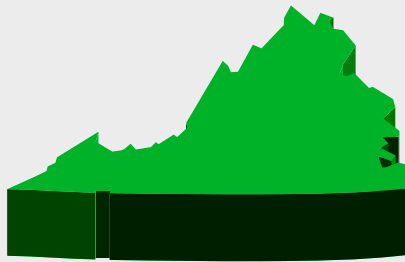
2,052,053

(Navajo, Other Native American languages, Hungarian, Arabic, Hebrew, African languages, other unspecified languages)



Demographic Data

Virginia



Languages Spoken at Home in Virginia

Total Population 5 years and over

6,826,604

English only

5,961,886

Total other languages

864,718

Speak Spanish or Spanish Creole

386,876

Speak Indo European languages

211,194

(French [Patois, Cajun], French Creole, Italian, Portuguese, Portuguese Creole, German, Yiddish, Other West Germanic languages, Scandinavian languages, Greek, Russian, Polish, Serbo-Croatian, Other Slavic languages, Armenian, Persian, Gujarati, Hindi, Urdu, Other Indic languages)

Speak Asian and Pacific Island languages

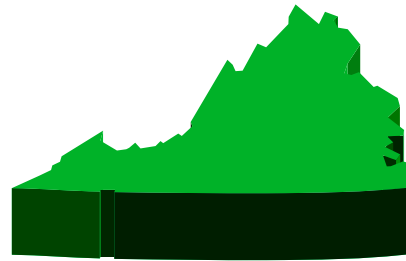
202,462

(Chinese, Japanese, Korean, Mon-Khmer, Cambodian, Miao, Hmong, Thai, Laotian, Vietnamese, Tagalog, other Pacific Island language)

Other Languages

64,186

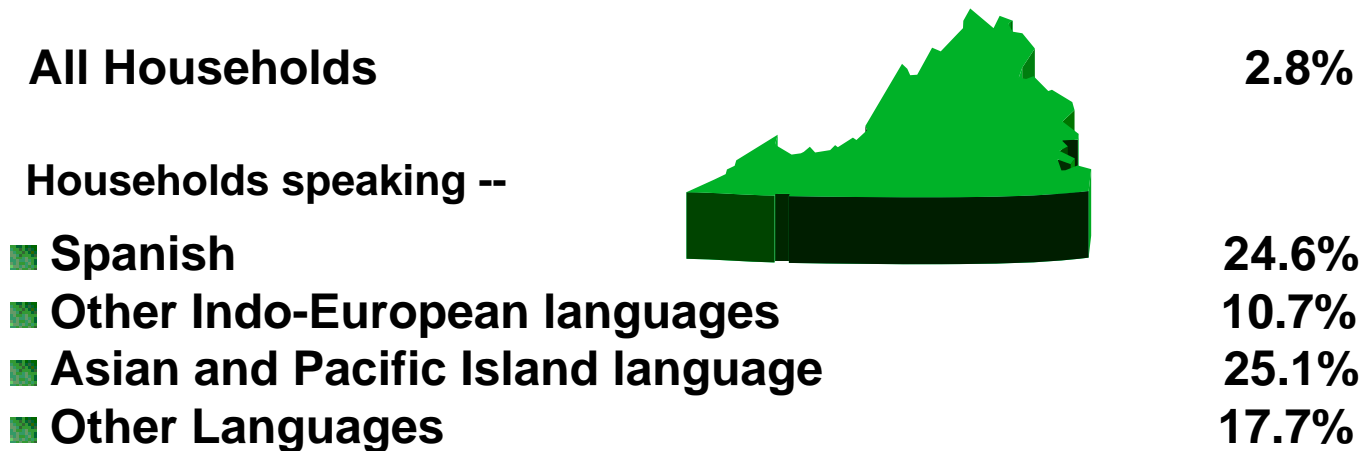
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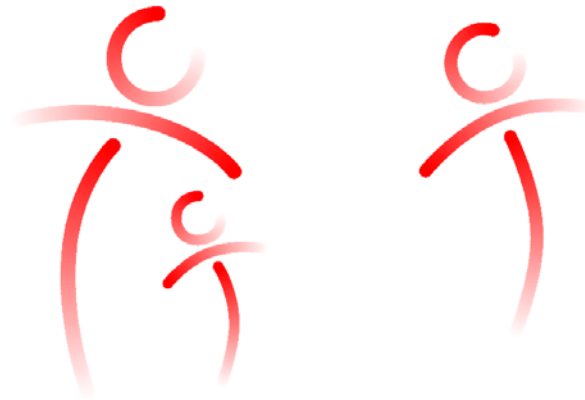
What is Linguistic Isolation ?

Linguistic Isolation refers to households in which no person over the age of 14 speaks English at least very well

Linguistically Isolated Households in Virginia



Linguistic Competence: Framework & Definition



Linguistic Competence

- is the capacity of an organization and its personnel to communicate effectively, and convey information in a manner that is easily understood by diverse audiences including persons of limited English proficiency, those who are not literate or have low literacy skills, and individuals with disabilities
- requires organizational and provider capacity to respond effectively to the health literacy needs of populations served
- insures policy, structures, practices, procedures and dedicated resources to support this capacity



Linguistic Competence

- bilingual/bicultural or multilingual/multicultural staff
- cross-cultural communication approaches
- cultural brokers
- foreign language interpretation services (including distance technologies)
- sign language interpretation service
- multilingual telecommunication systems
- Videoconferencing & telehealth technologies
- TTY, CART, VRT and other assistive technology devices



Linguistic Competence

- materials in alternative formats
(e.g. audiotape, Braille, enlarged print)
- materials developed and tested for specific cultural groups, ethnic and linguistic groups
- ethnic media in languages other than English
(e.g. television, radio, Internet, newspapers, periodicals)
- print materials in easy to read and low literacy formats
(e.g. picture and symbol formats)

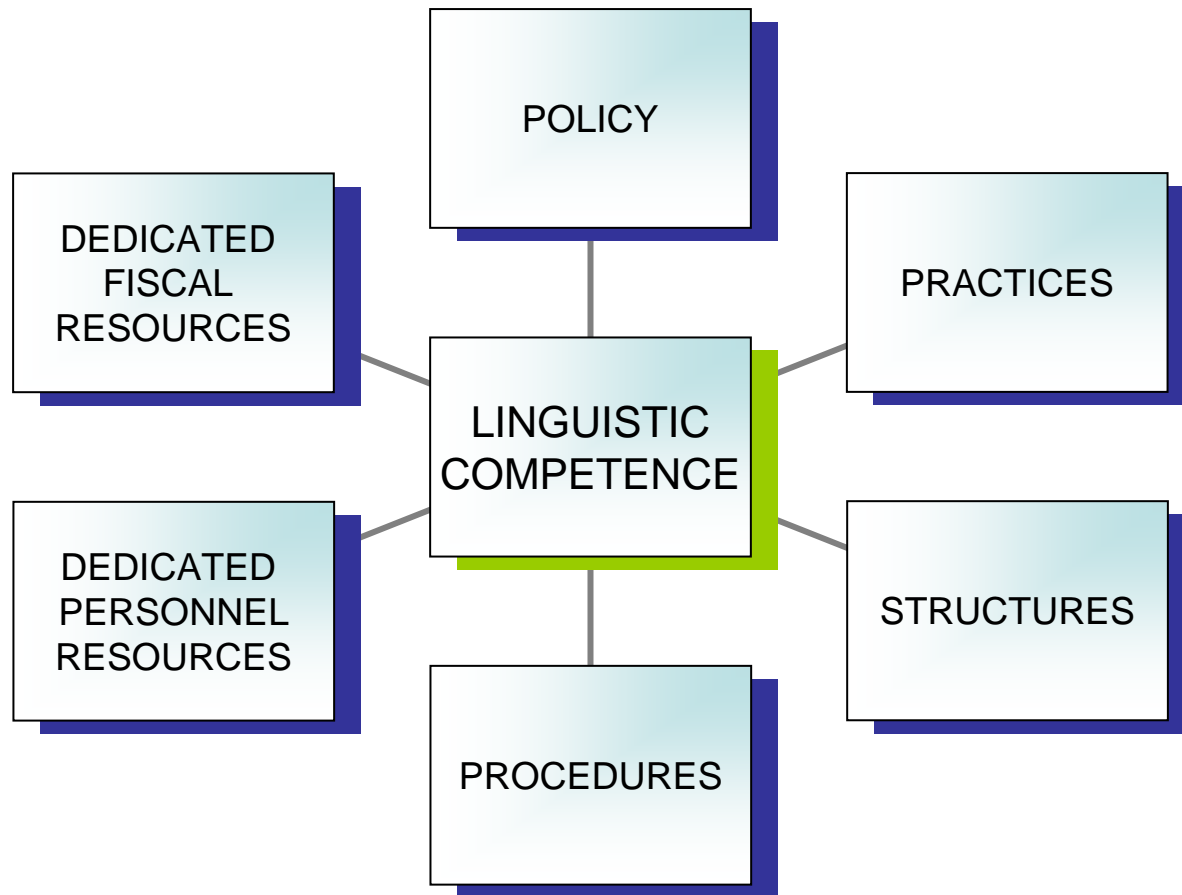


Linguistic Competence

- varied approaches to share information with individuals who experience cognitive disabilities
- translation of:
 - legally binding documents (e.g. consent forms, confidentiality and patient rights statements, release of information, applications)
 - signage
 - health education materials
 - public awareness materials & campaigns



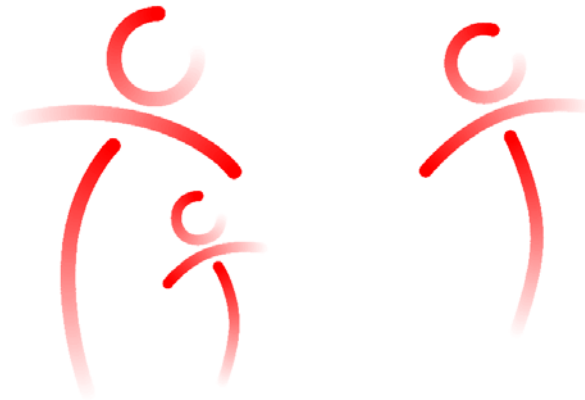
LINGUISTIC COMPETENCE FRAMEWORK



Slide Source: National Center for Cultural Competence, 2008



Linguistic Competence: Legal Mandates, Guidance, and Standards



Title VI of the Civil Rights Act of 1964

TITLE VI-NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS- SEC. 601.



No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

<http://usinfo.state.gov/usa/infousa/laws/majorlaw/civilr19.htm>

Title VI - Civil Rights Act of 1964

SEC. 601 TITLE VI--NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Provisions related to language access:

Service providers should implement policies and procedures to provide access to services and information in appropriate languages other than English to ensure that persons with limited English proficiency are effectively informed and effectively participate in any benefit.

<http://usinfo.state.gov/usa/infousa/laws/majorlaw/civilr19.htm>

Executive Order 13166

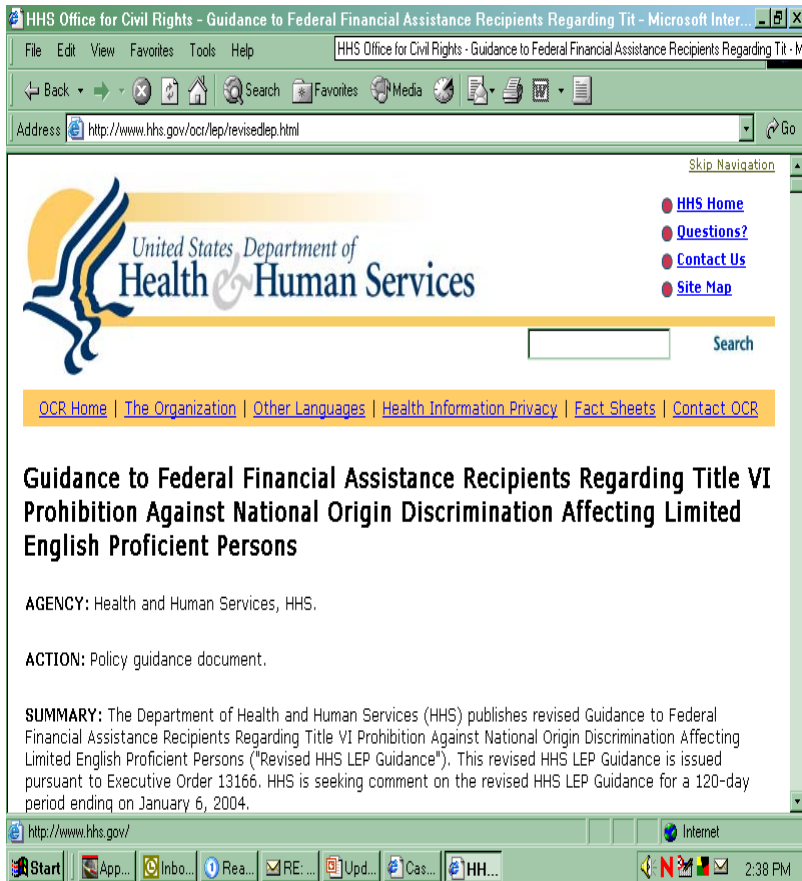
was issued to improve access for persons for whom English is not a primary language to federally funded and federally conducted services.

(1) requires federal agencies that provide services directly to the public to ensure that their own services provide meaningful access for LEP persons

(2) requires federal agencies that provide federal financial assistance to recipients to issue guidance to their recipients on how to comply with Title VI's obligation to ensure meaningful access.



DHHS Guidance and Requirements

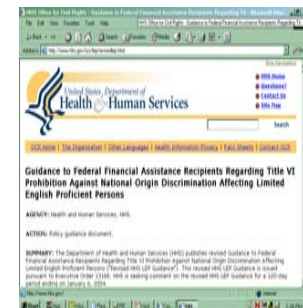


- <http://www.hhs.gov/ocr/lep/revisedlep.html>
- <http://www.lep.gov>



Four Factors of the Title VI Guidance

1. the number of LEP persons that are eligible to be served or likely to be affected in the recipient's service area
2. the frequency with which the recipient encounters LEP persons
3. the importance of the program activity or service
4. resources available to the recipients



DATA SOURCE: U.S. Department of Health & Human Services, Office of Civil Rights
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition
Against National Origin Discrimination Affecting Limited English Proficient Persons

Language Access Plans

Should:

- have clear and identifiable goals,
- specify leadership and management accountability
- ensure consideration of community input.

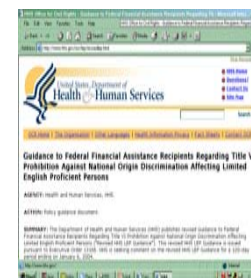
DATA SOURCE: U.S. Department of Health & Human Services, Office of Civil Rights
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition
Against National Origin Discrimination Affecting Limited English Proficient Persons



Who is covered under the guidance?

Recipients of DHHS assistance may include, for example:

- Hospitals, nursing homes, home health agencies, and managed care organizations.
- Universities and other entities with health or social service research programs.
- State, county, and local health agencies.
- State Medicaid agencies.
- State, county and local welfare agencies.
- Programs for families, youth, and children.
- Head Start programs.
- Public and private contractors, subcontractors and vendors.
- Physicians and other providers who receive Federal financial assistance from DHHS



CLAS Standards

Standards 1 -3

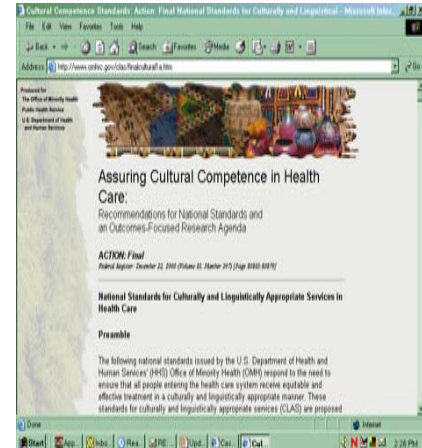
Culturally Competent Care

Standards 4 -7

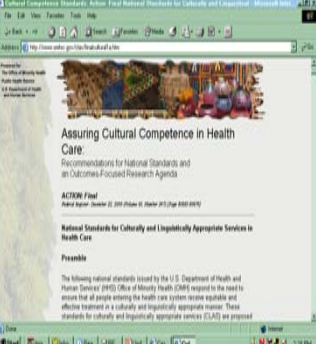
Federal mandates for language access

Standards 8-14

Organizational Supports for Cultural Competence



<http://www.omhrc.gov/clas/finalcultural1a.html>



CLAS Standards 4-7 are enforceable under Title VI of the Civil Rights Act of 1964

Health Care organizations must:

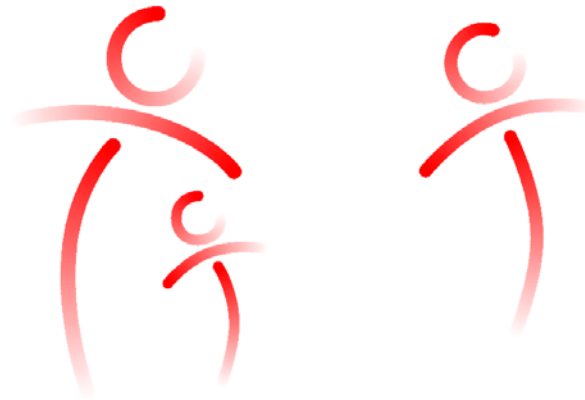
Standard 4. offer and provide language assistance services, at no cost to each patient/consumer, at all points of contact, timely and during all hours of operation

Standard 5. provide to patients/consumers in their preferred language both verbal offers and written notices informing them of their right to receive language assistance services

Standard 6. assure the competence of language assistance provided to limited English proficient patients/consumers by interpreters and bilingual staff

Standard 7. make available easily understood patient-related materials and post signage in the languages of the commonly encountered groups and/or groups represented in the service area

Linguistic Competence: The Roles of Health and Mental Health Literacy



Definition of Health Literacy

The degree to which individuals have the capacity to obtain, process, and understand basic health information and services needed to make appropriate health decisions.

HP 2010: Health Communication<http://www.hrsa.gov/quality/healthlit.htm>



Definition of Mental Health Literacy



“Mental health literacy is the knowledge, beliefs, and abilities that enable the recognition, management, or prevention of mental health problems.”



Literacy Expectations in Health & Behavioral Health Care

- Access information
- Recognize cues to action
- Access care
- Navigate institutions
- Complete forms
- Provide consent



- Communicate with professionals
- Provide information for assessment, diagnosis & treatment
- Understand directions
- Follow regimens
- Advocate

DATA SOURCE: Rudd, R.E. (2003) Empowering Disadvantaged Populations. [electronic slide presentation] Retrieved 7/22/05, from Harvard School of Public Health, Health Literacy Studies Web site



Linguistic Competence & the Evidence

- Provision of language access services is associated with increased access, utilization, acceptability, patient/consumer satisfaction
- Linguistically competent/culturally competent policies were an independent predictor of quality in care for children
- Distance and telephonic technologies are effective modes for interpretation services
- Failure to provide interpretation services is associated with adverse events, serious medical errors, inaccurate diagnosis, delayed access to care, costly litigation
- Dearth of research on translation. Most studies document the inadequacy and poor quality of translation.



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Slip Carefully

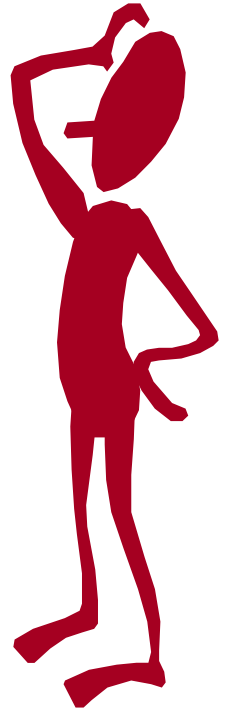
Signage from a hotel in Kanding, Szechuan Province, China

Photographer: Jesse Goode, 2007

Achieving Linguistic Competence

What will it take?

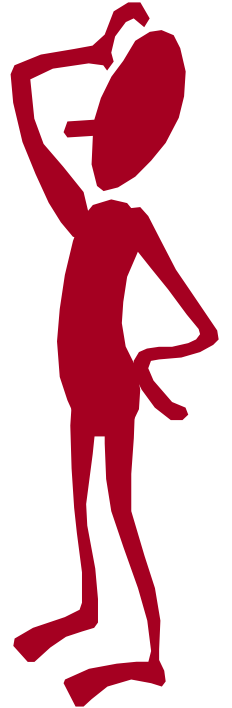
1. Reach consensus on and adopt a definition, conceptual framework, and logic model for linguistic competence.
2. Assess the need for language access services within the geographic or service area on a continual basis.
3. Develop a plan for linguistic competence.



Achieving Linguistic Competence

What will it take?

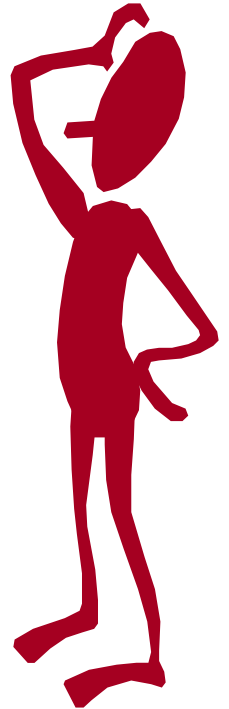
4. Engage the community in linguistic competence efforts.
5. Develop and implement policies and procedures and review their relevance periodically.
6. Allocate fiscal resources.



Achieving Linguistic Competence

What will it take ?

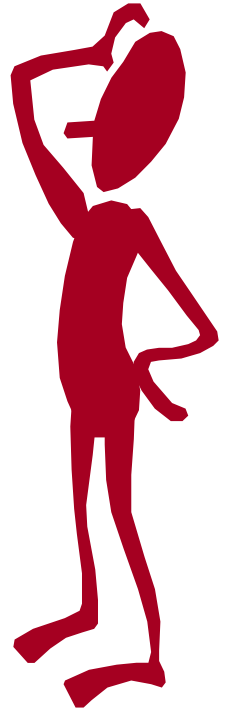
7. Provide professional development and in-service training to all staff, contractors, and volunteers on: (a) organizational policies and procedures related to linguistic competence, and (b) how to work effectively with interpreters.
8. Evaluate the quality and satisfaction with services, resources, and materials.

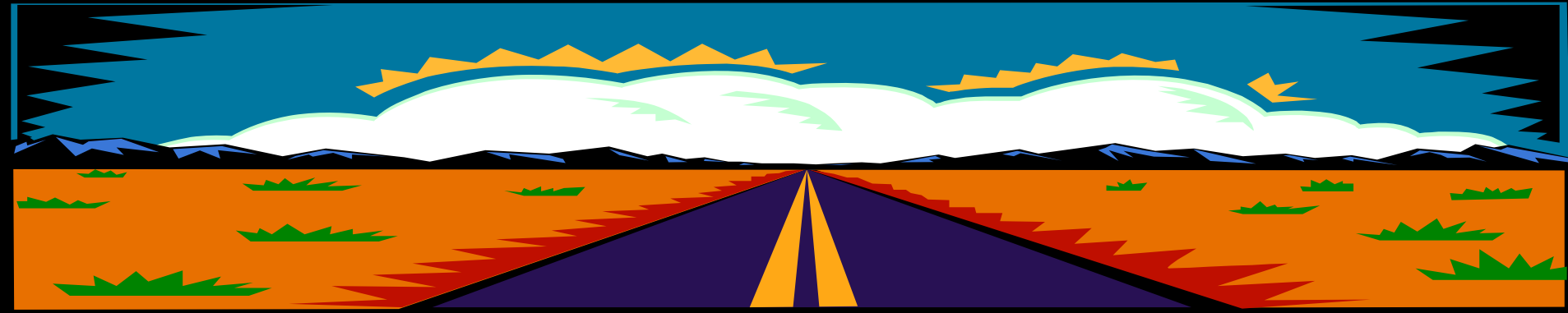


Achieving Linguistic Competence

What will it take ?

9. Ensure compliance with federal, state, and local mandates for language access.
10. Ensure compliance with federal mandates for meaningful access for individuals who experience disabilities.





**Cultural competence
and linguistic competence
are a life's journey ...
not a destination**

Safe travels!